

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, March 7, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 381, "An Act to fix the salary of the superintendent of public instruction of each county in Texas having a population of not less than 15,300 nor more than 15,400 according to the last Federal census; providing for office expenses; repealing all laws and parts of laws in conflict, and declaring an emergency."

Have carefully compared same and finds it correctly enrolled.

LONG of Houston, Chairman.

## FORTY-FIRST DAY.

(Saturday, March 9, 1929.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Minor, Speaker Pro Tem.

The roll was called, and the Speaker announced that there was not a quorum present.

Mr. Albritton moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was again called, and the following members answered to their names:

Acker.	Brooks.
Ackerman.	Carpenter.
Adkins.	Chastain.
Albritton.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Navarro.
Barnett.	Cox of Lamar.
Bateman.	Cox of Limestone.
Beck.	Davis.
Bond.	Dunlap.
Bounds.	Duvall.
Bradley.	Enderby.
Brice.	Ewing.

Eickenroht.	Murphy.
Finn.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Gerron.	O'Neill.
Gilbert.	Palmer.
Giles.	Patterson.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pool.
Hardy.	Pope of Jones.
Harman.	Pope of Nueces.
Harper.	Prendergast.
Harrison.	Purl.
Heaton.	Quinn.
Hines.	Ray.
Hogg.	Reader.
Holder.	Reid.
Hopkins.	Renfro.
Hornaday.	Rogers.
Hubbard.	Rountree.
Jenkins.	Sanders.
Johnson	Shaver.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Smith.
Jones.	Snelgrove.
Justiss.	Speck.
Kayton.	Stephens.
Keeton.	Stevenson.
Keller.	Storey.
Kemble.	Strong.
Kennedy.	Tarwater.
Kincaid.	Thompson.
King.	Thurmond.
Kinnear.	Tillotson.
Lee.	Turner.
Lemens.	Van Zandt.
Long of Houston.	Veatch.
Long of Wichita.	Waddell.
Mankin.	Wallace.
Martin.	Walters.
Mauritz.	Warwick.
Maynard.	Webb.
McDonald.	White.
McGill.	Wiggs.
McKean.	Williams
Metcalfe.	of Sabine.
Minor.	Williams
Montgomery.	of Travis.
Moore.	Woodall.
Morse.	Woodruff.
Mosely.	Young.
Mullally.	

Absent.

DeWolfe.	Loy.
Fuchs.	McCombs.
Gates.	Shelton.
Hefley.	Sinks.
Kenyon.	

Absent--Excused.

Mr. Speaker.	Baldwin.
Avis.	Harding.

Land.	Shipman.
Mehl.	Westbrook.
Richardson.	Williams
Savage.	of Hardin.

A quorum was announced present.

Prayer was offered by the Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Mehl for today, on motion of Mr. Reader.

Mr. Shipman for today, on motion of Mr. Graves of Erath.

Mr. Richardson for today, on motion of Mr. Jones.

Mr. Savage for today, on motion of Mr. Webb.

Mr. Westbrook and Mr. Baldwin for today, on motion of Mr. Harman.

The following member was granted leave of absence on account of illness:

Mr. Avis for this week, on motion of Mr. Storey.

#### EXPRESSING APPRECIATION TO CITIZENS OF SAN ANTONIO.

Mr. Hornaday offered the following resolution:

Whereas, Members will retain as a delightful memory their recent trip to sunny San Antonio, the "Winter Playground of America"; therefore, be it

Resolved, That the House of Representatives express its appreciation for the said delightful trip.

Signed—Savage, Hornaday, McKean, DeWolfe.

The resolution was read second time and was adopted unanimously.

#### RELATING TO EXTENDING CERTAIN FEDERAL AID.

The Speaker laid before the House, for consideration at this time, Senate concurrent resolution No. 24, relating to extending certain Federal aid, the resolution having heretofore been read second time and referred to the Committee on Conservation and Reclamation.

Question recurring on the resolution, it was adopted.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been

read severally, the following enrolled bills:

H. B. No. 388, "An Act to amend Articles 6012, 6014, 6015, 6029, 6030, 6032, 6033, 6035, 6036, and to repeal Articles 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6013, 6016, 6017 and 6031, of the Revised Civil Statutes, 1925, so as to remove conflicts from the conservation statutes, restore the penalties and more adequately provide for the conservation of oil and gas in the State of Texas; defining and prohibiting wastes thereof; authorizing the Railroad Commission of Texas to stop and prevent the waste of such oil and gas, and to promote and enforce the rules, regulations and orders for such purpose."

S. B. No. 370, "An Act fixing the salary of the county commissioners of certain counties by providing for a salary of \$3600 to be paid the county commissioners of counties having an assessed valuation of \$44,502,489 according to the last approved roll filed in the office of the State Comptroller; repealing laws in conflict therewith; and declaring an emergency."

S. B. No. 343, "An Act to give and grant to J. W. Howard and his wife, Maude Howard, leave and permission to prosecute in the proper courts of Houston county, Texas, suit against the State of Texas and R. S. Sterling, Cone Johnson and W. R. Ely, as Highway Commissioners of the State of Texas, in their official capacity only, for personal injuries to the wife, Maude Howard, and damage to their automobile; and declaring an emergency."

H. B. No. 673, "An Act to reorganize the Forty-second and the 104th Judicial Districts of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts and in the various counties thereof."

H. B. No. 690, "An Act to create and validate water control and improvement district No. 1 in Hidalgo county, Texas, as a conservation and reclamation district; validating and approving all the orders made by the commissioners court of the said county in respect to the original organization of Hidalgo county water improvement district No. 4 under Article 3, Section 52, of the Constitution."

H. B. No. 596, "An Act providing for a civil service commission in certain counties for certain offices, and providing for competitive examinations, and providing for a board of appeals, design-

nating the members of the commission, and providing for a secretary, and fixing their salaries and the manner of payment thereof."

#### RELATING TO A CERTAIN SUIT AGAINST STATE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 43, Relating to bringing suit against State.

Whereas, W. C. Davis of McLennan county received personal injuries on or about October 22, 1928, while an employee of the State of Texas as one of the employees of the Highway Department of this State; and

Whereas, The State of Texas, through its Highway Department, is not permitted, under the Constitution and laws of this State, to pay the said W. C. Davis his damages caused by such injury; and

Whereas, W. C. Davis desires to bring suit against the State of Texas to recover his damages; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That permission be, and the same is hereby, granted to W. C. Davis to sue the State of Texas in one of the district courts of McLennan county, Texas, on his said claim, and the State of Texas, acting herein by and through its Legislature, consents that it may be sued by W. C. Davis on the above mentioned claim in one of the district courts of McLennan county, Texas; be it further

Resolved, That should the said W. C. Davis recover a judgment against the State of Texas in such suit, that the judgment thus obtained, if any, shall be paid by the State through its Highway Commission out of any funds heretofore or hereafter appropriated to or for the use of the Highway Department of the State of Texas; be it further

Resolved, That said W. C. Davis shall give the necessary cost bond as in other civil suits, and either party shall have the right of appeal from any judgment rendered in the court in which said suit might be filed; be it further

Resolved, That a certified copy of this resolution, when presented to the district court in which the suit is pending, shall be conclusive evidence that the State has granted permission to said W. C. Davis to sue it on said claim and that the State has consented to be sued by said W. C. Davis on said claim.

The resolution was read second time.

On motion of Mr. Kemble, the resolution was referred to the Committee on State Affairs.

#### EXPRESSING APPRECIATION FOR PRINTING HOUSE JOURNAL.

Mr. Anderson offered the following resolution:

Whereas, The House Journal for the Forty-first Session of the Legislature has been printed with a high degree of craftsmanship and, considering the time involved for the production of work of this nature, its proofreading, make-up and general typography is of a high standard; therefore, be it

Resolved by the House of Representatives of the Forty-first Legislature, That we thank the printers, proofreaders, pressmen, binders and Journal Clerk for the general excellence of the House Journal.

Signed—Anderson, Davis.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 556 ON FINAL PASSAGE.

Mr. Hopkins moved to reconsider the vote by which House bill No. 556 was finally passed.

The motion to reconsider prevailed.

Mr. Hopkins called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 556. A bill to be entitled "An Act amending subdivision 25 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, providing for changing and prescribing the terms and times of holding courts in the Twenty-fifth Judicial District of Texas."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Hopkins, the House concurred in the Senate amendments.

House bill No. 556 was then finally passed by the following vote:

Yeas—102.

Acker.	Carpenter.
Adkins.	Chastain.
Albritton.	Coltrin.
Anderson.	Cox of Navarro.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Davis.
Bond.	Dunlap.
Bounds.	Duvall.
Bradley.	Enderby.
Brooks.	Ewing.

Eickenroht.	Nicholson.
Finn.	Olsen.
Forbes.	O'Neill.
Gerron.	Palmer.
Gilbert.	Pavlica.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Graves of Erath.	Quinn.
Hardy.	Ray.
Harding.	Reader.
Harper.	Reid.
Harrison.	Renfro.
Heaton.	Rogers.
Hines.	Rountree.
Holder.	Sanders.
Hopkins.	Shaver.
Hubbard.	Simmons.
Johnson	Smith.
of Dimmit.	Snelgrove.
Johnson of Smith.	Speck.
Johnson of Scurry.	Stephens.
Jones.	Storey.
Justiss.	Strong.
Kayton.	Tarwater.
Kemble.	Thurmond.
Kennedy.	Tillotson.
Kincaid.	Turner.
Kinnear.	Van Zandt.
Lee.	Veatch.
Lemens.	Waddell.
Mankin.	Walters.
Martin.	Warwick.
Maynard.	Webb.
McDonald.	White.
McGill.	Wiggs.
McKean.	Williams
Metcalfe.	of Sabine.
Montgomery.	Williams
Moore.	of Travis.
Morse.	Woodall.
Mosely.	Woodruff.
Murphy.	Young.
Negley.	

Nays—2.

Ackerman.

Brice.

Absent.

Beck.	Long of Houston.
Conway.	Long of Wichita.
DeWolfe.	Loy.
Finlay.	Mauritz.
Fuchs.	McCombs.
Gates.	Mullally.
Harman.	Patterson.
Hefley.	Petsch.
Hogg.	Prendergast.
Hornaday.	Purl.
Jenkins.	Shelton.
Keeton.	Sherrill.
Keller.	Sinks.
Kenyon.	Thompson.
King.	Wallace.

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Stevenson.
Land.	Westbrook.
Mehl.	Williams
Richardson.	of Hardin.

## NOTICE GIVEN.

Mr. Keller gave notice that he would on next Monday at 11 o'clock a. m., call up for consideration at that time the motion to reconsider the vote by which Senate joint resolution No. 10 failed to pass, which motion had heretofore been spread on the Journal.

Mr. Tillotson raised the following point of order:

"Mr. Speaker: I raise the point of order that the notice given to take up and consider Senate joint resolution No. 10 on Monday, March 11, 1929, is not in order and should not be recognized to be made, for the reason that when the motion was made on Friday, March 8, to reconsider and spread upon the Journal, the vote by which said Senate joint resolution failed to receive a two-thirds vote of all the members elected, the motion was not submitted to a vote of the House, and no vote on the said motion to reconsider and spread on the Journal was taken, and the Journal of the House will so show. That the failure to submit such motion to the House and to take a vote thereon was equivalent to no motion at all having been made, since the rules require a vote upon the motion to reconsider and spread on the Journal. No vote having been taken, it was equivalent to no motion having been made and, therefore, the notice proposed to be given to call up Senate joint resolution No. 10 on March 11, 1929, is not in order and cannot be made. The motion to reconsider and spread upon the Journal is a motion recognized in the rules of the House in the parliamentary procedure for the consideration of bills and resolutions, and the making of such motion is a recognition that this resolution conforms to and must be considered in accordance with the rules relating to bills. The attempted giving of notice for the consideration of the resolution on March 11 was a further recognition of the consideration of the resolution under the rules regulating the procedure in the consideration of bills. If we recognize the consideration of the resolution in accordance with the rules regarding bills, we are then confined to the limitations of such rules, and this

notice does not so conform, is ineffective and may not be entertained by the Chair at this time, and should not be permitted to go into the Journal."

#### RELATING TO CERTAIN NATIONAL LEGISLATION.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 33, relating to certain National legislation, the resolution having heretofore been read second time and referred to the Committee on Agriculture.

Mr. Bateman offered the following substitute for the resolution:

Whereas, President Herbert Hoover personally pledged himself, as a candidate, that if elected he would recommend National legislation looking to an equalization of agriculture with business and industry; and

Whereas, There is a crying need for such legislation as will relieve our farmers of the helpless inequality which our commercialized life has created; and

Whereas, A special session of Congress is to be called soon; therefore, be it

Resolved, That the House of Representatives, the Senate concurring, hereby urge our President and National Congress to take steps as soon as possible to give such relief to our producers as is within the proper province of our Federal government; and be it further

Resolved, That the Senate, the House of Representatives concurring, proceed to elect one delegate each, which delegates, in conjunction with the Governor, and two representative citizens to be named by him, shall constitute a delegation to attend and appear before the committees of Congress in the furtherance of all legislation beneficial to the agricultural industry of America proposed by President Hoover, and particularly to use their efforts toward so changing the present marketing system that no longer shall the agricultural producers be forced to accept world price for that portion of their crop consumed here in tariff protected America; be it further

Resolved, That only such citizens shall be selected as delegates who will serve without pay other than actual traveling, hotel and other direct expenses of said messengers, to be paid out of the Treasury upon warrants, as other public accounts are paid.

The substitute was adopted.

The resolution as substituted was then adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Senate bill No. 254 and Senate bill No. 581 by a vote of 30 yeas, 0 nays.

Has passed finally

H. B. No. 528, A bill to be entitled "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than 200 population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated."

The Senate has adopted the free conference committee report to House bill No. 567 by a vote of 14 yeas, 5 nays, 2 pairs.

The Senate has concurred in House amendments to Senate bill No. 560 by a vote of 28 yeas, 0 nays.

Has passed

H. B. No. 509, A bill to be entitled "An Act authorizing county auditors in counties containing a population of 35,000 or more and in which there may exist or in which there may be created any improvement, navigation, road or irrigation district, or any other territory district having for its purpose the expenditure of public funds for improvement purposes, or improvements of any kind, whether derived from the issuance of bonds or through any character of special assessment, to any exercised control over the finances of said district as provided in Chapter 2 of the Revised Civil Statutes of the State of Texas, 1925, amending Article 1667 of the Revised Civil Statutes, 1925," with amendments

H. J. R. No. 11, Proposing an amendment to Article 7 of the Constitution of the State of Texas, so as to authorize the taxation of lands belonging to the University of Texas for all except State purposes, and providing for the payment of such taxes by the University of Texas to the proper authorities of the counties where said lands are located; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

The Senate has refused to concur in House amendments to Senate bill No. 502 and requests the House for the appointment of a free conference committee to adjust the differences.

The following are appointed as conferees on the part of the Senate: Senators Williamson, Woodul, Love, Hyer and Witt.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 313.

Mr. Sanders called up, for consideration at this time, the following conference committee report on House bill No 313:

Committee Room,

Austin, Texas, March 8, 1929.

Hon. Barry Miller, President of the Senate, and Hon. Fred H. Minor, Speaker Fro Tem., House of Representatives.

We, your conference committee on House bill No. 313, have had the same under consideration and have adjusted the differences between the House and the Senate and recommend the passage of the following substitute bill:

H. B. No. 313, A bill to be entitled "An Act declaring the wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild raccoon, wild fox and wild civet cat to be fur-bearing animals; making it unlawful to take or have in possession any pelt of any fur-bearing animal at any time other than from November 30th to February 1st; providing, however, pelts taken during the open season therefor may be possessed an additional ten days after January 31st; providing, that it shall be unlawful for any person at any time to take or kill by trap, snare, deadfall or any mechanical device any fur-bearing animal in any of the counties to which this act applies; providing, this act shall not prevent an owner nor any of his family killing any of said animals within one hundred feet of his residence or outhouse thereabout by any means whatever, while said fur-bearing animals are depredating upon his property, but prohibiting buying or selling said animals or pelts when taken for said reason at any time other than from November 30th to February 1st; providing, this act shall not apply to

wolf trappers employed by the United States government, the State of Texas or the commissioners court of the counties included in this act from trapping wolves by setting their traps other and elsewhere than in trails, paths, roads and on logs or within ten feet thereof, nor to the taking of said animals within the bounds of State game preserves located in any of the counties to which this act applies when taken under the Game, Fish and Oyster Commissioner's direction and for use of said department; providing this act shall apply only in the following counties, viz.: Cherokee, Lee, Caldwell, Angelina, Hardin, Harris, Nacogdoches, Panola, Polk, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Williamson, Bexar, Liberty, Fort Bend, Brazoria, Jefferson, Matagorda, Anderson, Sabine, Lamar, Madison, Johnson, Orange, Brown, McLennan, Rusk, Tarrant and Young; providing, said animals may be possessed in said counties for propagation and fur-farming purposes under permit from the Game, Fish and Oyster Commissioner; providing for forfeiture of said permits; providing a penalty, repealing all laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of this act, wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild raccoon, wild fox and wild civet cat are hereby declared to be fur-bearing animals.

Sec. 2. It shall be unlawful to take or have in possession any of the fur-bearing animals mentioned in Section 1 of this act, or the pelts thereof, other than from November 30th to February 1st of each year; provided, however, that any pelts taken during the open season provided herein may be possessed for the purpose of sale for an additional ten days next after the open season each year.

Sec. 3. It shall be unlawful at any time for any person to take or kill by trap, snare, deadfall or any mechanical device any of the fur-bearing animals named in Section 1 of this act in any of the counties to which this act applies; provided, however, it shall be lawful for any owner or any member of his family to kill by any means and at any time within a distance of one hundred feet of his residence and the outhouses thereabout any of the said

fur-bearing animals while depredating upon the property of said owner, but neither the animals nor the pelts thereof so killed shall be bought, sold or possessed at any time other than from November 30th to February 1st. And provided further, this section shall not apply to a trapper employed by the United States government, the State of Texas or the commissioners court of any county to which this act applies, bona fide trapping for wolves and setting his traps therefor other and elsewhere than in trails, paths, roads, on logs and no closer thereto than ten feet; nor to the taking of said fur-bearing animals, under the direction of the Game, Fish and Oyster Commissioner, within the bounds of any State game preserve now located or which may be located within the counties to which the provisions of this act applies when such taking is done for the use of the Game, Fish and Oyster Department of Texas.

Sec. 4. It shall be unlawful for any person at any time or in any manner to have in his possession any wild beaver, wild otter or wild fox, or the pelt or pelts thereof, excepting as permitted under this act.

Sec. 5. That for the purpose of this act the foregoing provisions shall apply only in the following counties: Cherokee, Lee, Caldwell, Panola, Angelina, Hardin, Harris, Nacogdoches, Polk, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Williamson, Bexar, Liberty, Fort Bend, Brazoria, Jefferson, Matagorda, Anderson, Sabine, Lamar, Madison, Johnson, Orange, Brown, McLennan, Rusk, Tarrant and Young.

Sec. 6. Any person violating any provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$10 and not more than \$200. Possession of any pelt of any fur-bearing animal protected under this act at any time other than the open season provided for the taking of such animals and the pelts thereof, or the setting of any trap, snare or deadfall in any of the counties mentioned in this act shall be prima facie evidence of guilt of each pelt taken and the setting of each trap, snare or deadfall shall constitute a separate offense.

Sec. 7. That nothing in this act shall make it unlawful for any person to acquire, between the last day of November and the first day of February

of any year, and so possess thereafter for propagation and fur purposes, any of the animals named in Section 1 of this act upon his obtaining a permit from the Game, Fish and Oyster Commissioner authorizing such person so to do, which said permit shall be valid until the 10th day of the following February of each year and subject to renewal under the terms of this section, and the Game, Fish and Oyster Commissioner is hereby authorized to issue such permit to such person qualified to possess the same under the terms of this section; provided, however, such permit, after being issued, shall be forfeited upon the person in whose name same has been issued, being convicted of violating any of the game laws of this State or taking any of the game or fur-bearing animals of this State, and such person shall thereafter be denied a permit for said purposes for a period of two years next from and after date of such conviction; provided further, it shall be unlawful for such person having been convicted of violating any of the laws protecting the game or fur-bearing animals of this State to accept such permit provided for in this section from the Game, Fish and Oyster Commissioner of this State within the period of two years next from and after his being so convicted, and said permit shall be held by the owner to whom it is issued at all reasonable times subject to inspection by the Game, Fish and Oyster Commissioner and his deputies.

Sec. 8. If any section, provision or part of this act shall be held invalid for any reason, it is the legislative intent that the remainder of this act shall remain in full force and effect, and all laws or portion of laws in conflict herewith are hereby repealed.

Sec. 9. The importance of this act and the fact that the fur-bearing animals named in this act are rapidly being exterminated in the counties named in this act and are practically exterminated in several of said counties, and there are not adequate laws for the protection of the fur-bearing animals in the counties named in this act, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring a bill to be read on three several days in each house, and this act shall take effect and be in force from and after its passage,

and said rule is hereby suspended, and it is so enacted.

Respectfully submitted,  
SANDERS,  
MURPHY,  
HINES,  
McKEAN,  
BRICE,

On the part of the House.  
STEVENSON,  
WOODUL,  
THOMASON,  
BECK,  
HORNSBY,

On the part of the Senate.

On motion of Mr. Sanders, the report was adopted by the following vote:

Yeas—100.

Acker.	Jones.
Ackerman.	Justiss.
Adkins.	Kayton.
Albritton.	Keller.
Anderson.	Kennedy.
Baker.	Kincaid.
Barnett.	King.
Bateman.	Kinnear.
Bond.	Lee.
Bounds.	Lemens.
Bradley.	Long of Houston.
Brice.	Long of Wichita.
Brooks.	Mauritz.
Carpenter.	Maynard.
Coltrin.	McDonald.
Conway.	McGill.
Cox of Lamar.	McKean.
Cox of Limestone.	Metcalfe.
Davis.	Moore.
Dunlap.	Mosely.
Duvall.	Mullally.
Enderby.	Murphy.
Ewing.	Negley.
Eickenroht.	Nicholson.
Finn.	Olsen.
Finlay.	Palmer.
Forbes.	Patterson.
Gerron.	Pavlica.
Giles.	Petsch.
Graves	Pope of Jones.
of Williamson.	Prendergast.
Graves of Erath.	Quinn.
Hardy.	Ray.
Harding.	Reader.
Harman.	Rogers.
Harper.	Rountree.
Harrison.	Sherrill.
Heaton.	Simmons.
Hogg.	Smith.
Holder.	Stephens.
Hopkins.	Strong.
Hubbard.	Tarwater.
Johnson	Thompson.
of Dimmit.	Thurmond.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Veatch.

Waddell.	Williams of Travis.
Wallace.	Wiggs.
Walters.	Woodall.
Warwick.	Woodruff.
Williams of Sabine.	Young.

Absent.

Beck.	Morse.
Chastain.	O'Neill.
Cox of Navarro.	Pool.
DeWolfe.	Pope of Nueces.
Fuchs.	Purl.
Gates.	Reid.
Gilbert.	Renfro.
Hefley.	Sanders.
Hines.	Shaver.
Hornaday.	Shelton.
Jenkins.	Sinks.
Keeton.	Snelgrove.
Kemble.	Speck.
Kenyon.	Storey.
Loy.	Tillotson.
Mankin.	Turner.
Martin.	Webb.
McCombs.	White.
Montgomery.	

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Stevenson.
Land.	Westbrook.
Mehl.	Williams
Richardson.	of Hardin.

#### RELATING TO BIDS ON FEDERAL AID PROJECTS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 44, Relating to bids on Federal aid project.

Whereas, On or about the 26th day of October, A. D. 1926, the State of Texas, acting by and through its Highway Commission, after having properly and duly advertised for bids, opened bids on Federal aid project 385, unit 2, which called for the construction of a concrete road approximately sixteen to eighteen miles long in Washington county, Texas; and

Whereas, On opening such bids it was found that Harrison Engineering and Construction Corporation was the lowest and best bidder and offered in its bid to do the work at a lower price than any other person or firm bidding upon said project; and

Whereas, Thereafter and on or about the 2d day of December, A. D. 1926, the State of Texas, through its Highway Commission, awarded the contract for constructing said road to Harrison En-



gineering and Construction Corporation; and

Whereas, The Harrison Engineering and Construction Corporation constructed said concrete road and after its completion filed a claim against the State of Texas with the Highway Commission, asserting that the State had not fully and completely paid it for all the work done in connection with this project; and

Whereas, The State of Texas, acting by and through the Highway Commission, has declined to pay said claim and does not desire to pass upon the questions involved in said claim, in many instances being questions of fact which should be determined by the courts to the end that justice might obtain between the State of Texas and the contractor; and

Whereas, Under the Constitution and laws of this State a suit cannot be filed against the State of Texas without the Legislature consenting to such suit and giving permission that the suit be brought; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That permission be and the same is hereby granted to Harrison Engineering and Construction Corporation to sue the State of Texas in one of the district courts of Travis county, Texas, on its said claim, and the State of Texas, acting herein by and through its Legislature, consents that it may be sued by Harrison Engineering and Construction Corporation on the above mentioned claim in one of the district courts of Travis county, Texas; be it further

Resolved, That should the Harrison Engineering and Construction Corporation recover a judgment against the State of Texas in such suit, that the judgment thus obtained, if any, shall be paid by the State through its Highway Commission out of any funds heretofore or hereafter appropriated to or for the use of the Highway Department of the State of Texas; be it further

Resolved, That said Harrison Engineering and Construction Corporation shall give the necessary cost bond as in other civil suits, and either party shall have the right of appeal from any judgment rendered in the court in which said suit might be filed; be it further

Resolved, That a certified copy of this resolution, when presented to the district court in which the suit is pending, shall be conclusive evidence that the State has granted permission to said Harrison Engineering and Construction

Corporation to sue it on said claim and that the State has consented to be sued by said Harrison Engineering and Construction Corporation on said claim.

The resolution was read second time.

Mr. Wallace moved that the resolution be referred to the Committee on State Affairs.

Mr. Van Zandt moved that the resolution be referred to the Committee on Claims and Accounts.

The motion by Mr. Van Zandt prevailed.

#### SENATE BILL NO. 37 ON FINAL PASSAGE.

Mr. Woodall moved to reconsider the vote by which Senate bill No. 37 was finally passed.

The motion to reconsider prevailed.

Mr. Woodall offered the following amendment to the bill:

Amend Senate bill No. 37, page 1, line 34, by striking out the word "four" and insert in lieu thereof the word "seven."

The amendment was adopted.

Senate bill No. 37 was then finally passed by the following vote:

Yeas—104.

Acker.	Hogg.
Ackerman.	Holder.
Adkins.	Hopkins.
Albritton.	Hubbard.
Anderson.	Jenkins.
Baker.	Johnson
Barnett.	of Dimmit.
Bateman.	Johnson of Smith.
Beck.	Johnson of Scurry.
Bounds.	Jones.
Bradley.	Justiss.
Brooks.	Kayton.
Carpenter.	Keeton.
Coltrin.	Keller.
Conway.	Kemble.
Cox of Navarro.	Kennedy.
Cox of Limestone.	Kincaid.
Davis.	King.
Dunlap.	Kinnear.
Duvall.	Lemens.
Enderby.	Long of Houston.
Ewing.	Mankin.
Finn.	Martin.
Forbes.	Mauritz.
Gilbert.	Maynard.
Giles.	McGill.
Graves	McKean.
of Williamson.	Metcalfe.
Graves of Erath.	Montgomery.
Harman.	Moore.
Harper.	Morse.
Harrison.	Mosely.
Heaton.	Mullally.

Negley.	Stevenson.
Nicholson.	Strong.
Palmer.	Tarwater.
Patterson.	Thompson.
Pavlica.	Thurmond.
Pope of Jones.	Tillotson.
Pope of Nueces.	Turner.
Prendergast.	Van Zandt.
Quinn.	Veatch.
Ray.	Waddell.
Reader.	Walters.
Reid.	Warwick.
Renfro.	Webb.
Rogers.	Wiggs.
Sanders.	Williams
Sherrill.	of Sabine.
Simmons.	Williams
Smith.	of Travis.
Snelgrove.	Woodall.
Speck.	Woodruff.
Stephens.	Young.

Nays—1.

Lee.

Present—Not Voting.

Brice.

Absent.

Bond.	Loy.
Chastain.	McCombs.
Cox of Lamar.	McDonald.
DeWolfe.	Murphy.
Eickenroht.	Olsen.
Finlay.	O'Neill.
Fuchs.	Petsch.
Gates.	Pool.
Gerron.	Purl.
Hardy.	Rountree.
Harding.	Shaver.
Hefley.	Shelton.
Hines.	Sinks.
Hornaday.	Storey.
Kenyon.	White.
Long of Wichita.	

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Wallace.
Land.	Westbrook.
Mehl.	Williams
Richardson.	of Hardin.

#### REQUESTING RETURN OF SENATE BILL NO. 592.

Mr. Keeton offered the following resolution:

H. C. R. No. 36, Recalling Senate bill No. 592.

Be it resolved by the House of Representatives, the Senate concurring, That the Senate be requested to return to the House Senate bill No. 592 for the purpose of adopting a corrective amendment.

The resolution was read second time and was adopted.

#### RECALLING HOUSE JOINT RESOLUTION NO. 7 FROM GOVERNOR.

Mr. Kemble offered the following resolution:

H. C. R. No. 37, Recalling House joint resolution No. 7.

Whereas, House joint resolution No. 7 has been finally passed by the House and Senate and is now on the desk of the Governor; and

Whereas, Through an error free conference committee report, which has been adopted by both houses, was omitted from the joint resolution; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the Governor be requested to return the said joint resolution to the House for further consideration.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on House bill No. 313 by a two-thirds vote of 25 yeas, 0 nays.

Has passed House concurrent resolution No. 36, granting the request of the House for the return of Senate bill No. 592 for further consideration, and same is returned herewith.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### RECESS.

On motion of Mr. Harding, the House, at 12:25 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Minor.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed the following:

H. C. R. No. 37, Recalling House joint resolution No. 7 from the Governor's office for further consideration.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### RELATING TO SUSPENSIONS FOR MEMBERS.

Mr. Quinn moved that when a member's name is called, as provided heretofore by resolution, and such member is absent, his name shall then be placed at the foot of the list.

Mr. Hopkins moved as a substitute motion that when a member's name is called and he is not present, that he then loses his place unless and except he has given some other member written authority to use his place.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 5:30 o'clock p. m today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Petsch, the Sergeant-at-Arms was instructed to bring in all absent members who are not ill.

Mr. Woodruff moved to table the motion by Mr. Hopkins.

Yeas and nay were demanded, and the motion prevailed by the following vote:

Yeas—65.

Ackerman.	Graves
Adkins.	of Williamson.
Baker.	Harper.
Bateman.	Jenkins.
Brice.	Keeton.
Brooks.	Keller.
Carpenter.	Kemble.
Chastain.	Kenyon.
Coltrin.	Kincaid.
Conway.	King.
Cox of Lamar.	Lee.
Cox of Limestone.	Lemens.
Davis.	Long of Wichita.
Duvall.	Martin.
Enderby.	Mauritz.
Eickenroht.	Maynard.
Finlay.	McDonald.
Forbes.	McGill.
Giles.	McKean.
Hardy.	Mosely.

Petsch.	Stephens.
Pope of Jones.	Strong.
Pope of Nueces.	Tarwater.
Prendergast.	Thompson.
Purl.	Tillotson.
Quinn.	Waddell.
Ray.	Wallace.
Reid.	Warwick.
Renfro.	Webb.
Rogers.	Williams
Sanders.	of Travis.
Shaver.	Woodall.
Simmons.	Woodruff.
Smith.	Young.
Speck.	

Nays—36.

Albritton.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Bradley.	Negley.
Finn.	Nicholson.
Gerron.	Palmer.
Gilbert.	Patterson.
Graves of Erath.	Pavlica.
Harding.	Pool.
Hines.	Reader.
Hopkins.	Rountree.
Johnson	Sherrill.
of Dimmit.	Snelgrove.
Jones.	Thurmond.
Justiss.	Van Zandt.
Kennedy.	Veatch.
Kinnear.	White.
Long of Houston.	Williams
Montgomery.	of Sabine.

Present—Not Voting.

Hubbard.	Wiggs.
----------	--------

Absent.

Acker.	Johnson of Smith.
Anderson.	Johnson of Scurry.
Barnett.	Kayton.
Beck.	Loy.
Cox of Navarro.	Mankin.
DeWolfe.	McCombs.
Dunlap.	Metcalfe.
Ewing.	Murphy.
Fuchs.	Olsen.
Gates.	O'Neill.
Harman.	Shelton.
Harrison.	Sinks.
Heaton.	Stevenson.
Hefley.	Storey.
Hogg.	Turner.
Holder.	Walters.
Hornaday.	

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Mehl.	of Hardin.
Richardson.	

Question then recurring on the motion by Mr. Quinn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—92.

Acker.	Mauritz.
Ackerman.	Maynard.
Adkins.	McDonald.
Albritton.	McGill.
Baker.	McKean.
Barnett.	Montgomery.
Bateman.	Moore.
Brice.	Mosely.
Brooks.	Palmer.
Carpenter.	Patterson.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Navarro.	Pope of Jones.
Cox of Lamar.	Pope of Nueces.
Cox of Limestone.	Prendergast.
Davis.	Purl.
Enderby.	Quinn.
Ewing.	Ray.
Eickenroht.	Reader.
Finn.	Reid.
Finlay.	Renfro.
Forbes.	Rogers.
Gerron.	Sanders.
Gilbert.	Shaver.
Giles.	Simmons.
Graves	Smith.
of Williamson.	Snelgrove.
Hardy.	Speck.
Harding.	Stephens.
Harman.	Strong.
Harper.	Tarwater.
Heaton.	Thompson.
Hines.	Thurmond.
Hubbard.	Turner.
Jenkins.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Keeton.	Warwick.
Kennedy.	Webb.
Kincaid.	Wiggs.
King.	Williams
Kinnear.	of Sabine.
Lee.	Williams
Lemens.	of Travis.
Long of Houston.	Woodall.
Long of Wichita.	Woodruff.
Martin.	Young.

Nays—10.

Bond.	Mullally.
Bounds.	Nicholson.
Bradley.	Pool.
Graves of Erath.	Rountree.
Morse.	White.

Absent.

Anderson.	Keller.
Beck.	Kemble.
Chastain.	Kenyon.
DeWolfe.	Loy.
Dunlap.	Mankin.
Duvall.	McCombs.
Fuchs.	Metcalf.
Gates.	Murphy.
Harrison.	Negley.
Hefley.	Olsen.
Hogg.	O'Neill.
Holder.	Shelton.
Hopkins.	Sherrill.
Hornaday.	Sinks.
Johnson of Smith.	Stevenson.
Johnson of Scurry.	Storey.
Kayton.	Tillotson.

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Mehl.	of Hardin.
Richardson.	

Mr. Purl moved to reconsider the vote by which the motion by Mr. Quinn prevailed, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 161 ON SECOND READING.

On motion of Mr. Wiggs, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 161, A bill to be entitled "An Act amending Article 6814, Title 117, of the Revised Civil Statutes of the State of Texas of 1925, being an act fixing the salary of the Commissioner of the Bureau of Labor Statistics, his assistants, deputies and inspectors."

The Speaker laid the bill before the House and it was read second time.

Mr. Purl offered the following amendment to the bill:

Amend Senate bill No. 161 by adding after the word "salary" in each line 33, 34, 35, 36, 37, 38 and 39, page 1, the following, "to be fixed by the Legislature, not to exceed the sum."

Mr. Bond moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

## Yeas—47.

Adkins.	Johnson of Smith.
Albritton.	Johnson of Scurry.
Barnett.	Jones.
Bateman.	Keeton.
Beck.	Martin.
Bradley.	Maynard.
Chastain.	McGill.
Cox of Navarro.	Metcalf.
Cox of Lamar.	Moore.
Cox of Limestone.	Morse.
Davis.	Nicholson.
Enderby.	Pavlica.
Ewing.	Pool.
Eickenroht.	Pope of Jones.
Finn.	Ray.
Forbes.	Reader.
Gerron.	Storey.
Giles.	Tarwater.
Graves	Tillotson.
of Williamson.	Van Zandt.
Hardy.	Wallace.
Hogg.	Warwick.
Hopkins.	Williams
Johnson	of Travis.
of Dimmit.	Woodall.

## Nays—57.

Ackerman.	Mosely.
Baker.	Negley.
Bond.	Palmer.
Bounds.	Petsch.
Brice.	Pope of Nueces.
Brooks.	Prendergast.
Coltrin.	Purl.
Conway.	Reid.
Dunlap.	Renfro.
Finlay.	Rogers.
Gilbert.	Rountree.
Graves of Erath.	Sanders.
Harding.	Shaver.
Harper.	Simmons.
Hines.	Smith.
Hornaday.	Snelgrove.
Hubbard.	Speck.
Jenkins.	Stephens.
Justiss.	Strong.
Kemble.	Thompson.
Kennedy.	Veatch.
Kincaid.	Waddell.
Kinnear.	Walters.
Lee.	White.
Lemens.	Wiggs.
Long of Wichita.	Williams
Mauritz.	of Sabine.
McDonald.	Young.
McKean.	

## Present—Not Voting.

Heaton.	Webb.
---------	-------

## Absent.

Acker.	DeWolfe.
Anderson.	Duvall.
Carpenter.	Fuchs.

Gates.	Montgomery.
Harman.	Mullally.
Harrison.	Murphy.
Hefley.	Olsen.
Holder.	O'Neill.
Kayton.	Patterson.
Keller.	Quinn.
Kenyon.	Shelton.
King.	Sherrill.
Long of Houston.	Sinks.
Loy.	Stevenson.
Mankin.	Thurmond.
McCombs.	Turner.
Mehl.	Woodruff.

## Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

Mr. Bond offered the following amendment to the bill:

Amend the bill by striking out the enacting clause.

Mr. Morse moved to table the amendment by Mr. Bond.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—66.

Adkins.	Keeton.
Albritton.	Kinnear.
Barnett.	Lemens.
Bateman.	Martin.
Bradley.	Mauritz.
Chastain.	Maynard.
Cox of Navarro.	McGill.
Cox of Lamar.	Moore.
Davis.	Morse.
Enderby.	Negley.
Ewing.	Nicholson.
Finn.	Pavlica.
Forbes.	Petsch.
Gerron.	Pool.
Gilbert.	Pope of Jones.
Giles.	Purl.
Graves	Quinn.
of Williamson.	Reader.
Hardy.	Reid.
Harding.	Rountree.
Harper.	Sanders.
Hogg.	Shaver.
Hopkins.	Simmons.
Hornaday.	Smith.
Hubbard.	Speck.
Jenkins.	Storey.
Johnson	Tarwater.
of Dimmit.	Thompson.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Van Zandt.

Warwick.  
White.  
Williams  
of Travis.

Woodall.  
Woodruff.  
Young.

Nays—36.

Ackerman.	McKean.
Baker.	Metcalfe.
Bond.	Mosely.
Bounds.	Palmer.
Brice.	Patterson.
Brooks.	Prendergast.
Coltrin.	Ray.
Conway.	Renfro.
Cox of Limestone.	Rogers.
Eickenroht.	Snelgrove.
Finlay.	Stephens.
Graves of Erath.	Strong.
Hines.	Veatch.
Justiss.	Waddell.
Kemble.	Walters.
Kennedy.	Wiggs.
Kincaid.	Williams
Lee.	of Sabine.
Long of Wichita.	

Present—Not Voting.

Webb.

Absent.

Acker.	Long of Houston.
Anderson.	Loy.
Beck.	Mankin.
Carpenter.	McCombs.
DeWolfe.	McDonald.
Dunlap.	Mehl.
Duvall.	Montgomery.
Fuchs.	Mullally.
Gates.	Murphy.
Harman.	Olsen.
Harrison.	O'Neill.
Heaton.	Pope of Nueces.
Hefley.	Shelton.
Holder.	Sherrill.
Kayton.	Sinks.
Keller.	Stevenson.
Kenyon.	Turner.
King.	Wallace.

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

Mr. Purl then withdrew his pending amendment.

Mr. Smith moved the previous question on the passage of the bill to third reading.

Senate bill No. 161 was then passed to third reading.

# MOTION TO TAKE UP SENATE BILL NO. 161.

Mr. Bradley moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 161 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—80

Adkins.	Maynard.
Albritton.	McDonald.
Barnett.	McGill.
Bateman.	Metcalfe.
Beck.	Minor.
Bradley.	Moore.
Chastain.	Morse.
Coltrin.	Mullally.
Conway.	Nicholson.
Cox of Navarro.	Palmer.
Cox of Lamar.	Patterson.
Cox of Limestone.	Pavlica.
Davis.	Pool.
Dunlap.	Pope of Jones.
Duvall.	Pope of Nueces.
Enderby.	Prendergast.
Finn.	Purl.
Forbes.	Quinn.
Gerron.	Ray.
Gilbert.	Reader.
Giles.	Reid.
Graves	Rountree.
of Williamson.	Sanders.
Hardy.	Shaver.
Harper.	Simmons.
Hogg.	Smith.
Hopkins.	Speck.
Hornaday.	Stevenson.
Hubbard.	Storey.
Johnson	Tarwater.
of Dimmit.	Thurmond.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Van Zandt.
Keeton.	Walters.
Keller.	Warwick.
Kemble.	Williams
Kinnear.	of Travis.
Lemens.	Woodall.
Mankin.	Woodruff.
Martin.	Young.
Mauritz.	

Nays—28.

Ackerman.	Hines.
Bond.	Jenkins.
Bounds.	Justiss.
Brice.	Kennedy.
Brooks.	Kincaid.
Ewing.	Lee.
Eickenroht.	Long of Wichita.
Finlay.	McKean.
Graves of Erath.	Mosely.

Renfro.  
Rogers.  
Snelgrove.  
Stephens.  
Strong.

Thompson.  
Veatch.  
Waddell.  
Williams  
of Sabine.

Present—Not Voting.

Webb.

Wiggs.

Absent.

Acker.  
Anderson.  
Baker.  
Carpenter.  
DeWolfe.  
Fuchs.  
Gates.  
Harding.  
Harman.  
Harrison.  
Heaton.  
Hefley.  
Holder.  
Kayton.  
Kenyon.  
King.

Long of Houston.  
Loy.  
McCombs.  
Mehl.  
Montgomery.  
Murphy.  
Negley.  
Olsen.  
O'Neill.  
Petsch.  
Shelton.  
Sherrill.  
Sinks.  
Wallace.  
White.

Absent—Excused.

Mr. Speaker.  
Avis.  
Baldwin.  
Land.  
Richardson.

Savage.  
Shipman.  
Westbrook.  
Williams  
of Hardin.

#### HOUSE BILL NO. 509 WITH SENATE AMENDMENTS.

Mr. Bond called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 509, A bill to be entitled "An Act authorizing county auditors in counties containing a population of 35,000 or more and in which there may exist or in which there may be created any improvement, navigation, road or irrigation district, or any other territory district having for its purpose the expenditure of public funds for improvement purposes or improvements of any kind, whether derived from the issuance of bonds or through any character of special assessment, to any exercised control over the finances of said district, as provided in Chapter 2 of the Revised Civil Statutes of the State of Texas, 1925, amending Article 1667 of the Revised Civil Statutes, 1925."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Bond, the House concurred in the Senate amendments by the following vote:

Yeas—104.

Ackerman.  
Adkins.  
Albritton.  
Barnett.  
Bateman.  
Bond.  
Bradley.  
Brice.  
Chastain.  
Coltrin.  
Conway.  
Cox of Navarro.  
Cox of Lamar.  
Dunlap.  
Duvall.  
Enderby.  
Ewing.  
Eickenroht.  
Finn.  
Finlay.  
Forbes.  
Gerron.  
Gilbert.  
Giles.  
Graves  
of Williamson.  
Graves of Erath.  
Hardy.  
Harding.  
Harman.  
Harper.  
Heaton.  
Hines.  
Hogg.  
Hopkins.  
Hubbard.  
Jenkins.  
Johnson  
of Dimmit.  
Johnson of Scurry.  
Jones.  
Justiss.  
Keeton.  
Keller.  
Kemble.  
King.  
Kinneear.  
Lee.  
Lemens.  
Long of Houston.  
Mankin.  
Martin.  
Mauritz.  
Maynard.

McDonald.  
Metcalf.  
Moore.  
Morse.  
Mosely.  
Mullally.  
Negley.  
Nicholson.  
Palmer.  
Patterson.  
Pavlica.  
Petsch.  
Pool.  
Pope of Jones.  
Pope of Nueces.  
Quinn.  
Ray.  
Reader.  
Reid.  
Renfro.  
Rogers.  
Rountree.  
Sanders.  
Shaver.  
Sherrill.  
Simmons.  
Smith.  
Snelgrove.  
Speck.  
Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Tillotson.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
Webb.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Nays—3.

Bounds.  
Brooks.

Cox of Limestone.

Absent.

Acker.  
Anderson.  
Baker.  
Beck.

Carpenter.  
Davis.  
DeWolfe.  
Fuchs.

Gates.	McGill.
Harrison.	McKean.
Hefley.	Mehl.
Holder.	Montgomery.
Hornaday.	Murphy.
Johnson of Smith.	Olsen.
Kayton.	O'Neill.
Kenyon.	Prendergast.
Kennedy.	Purl.
Kincaid.	Shelton.
Long of Wichita.	Sinks.
Loy.	Turner.
McCombs.	

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

## SENATE BILL NO. 222 ON SECOND READING.

On motion of Mr. Gerron, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 222, A bill to be entitled "An Act to amend Chapter 5, Title 14, Revised Criminal Statutes of Texas of 1925, relating to weights and measures, by amending Article 1037 and adding Article 1037a, defining certain terms, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

(Mr. Storey in the chair.)

## SENATE BILL NO. 222 ON THIRD READING.

Mr. Gerron moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 222 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Ackerman.	Conway.
Adkins.	Cox of Navarro.
Albritton.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Dunlap.
Bond.	Duvall.
Bounds.	Enderby.
Bradley.	Eickenroht.
Brice.	Finn.
Brooks.	Finlay.
Chastain.	Forbes.
Coltrin.	Gerron.

Gilbert.	Palmer.
Giles.	Patterson.
Graves.	Pavlica.
of Williamson.	Petsch.
Harding.	Pool.
Harman.	Pope of Nueces.
Harper.	Prendergast.
Heaton.	Quinn.
Hines.	Ray.
Hogg.	Reader.
Hopkins.	Reid.
Hubbard.	Renfro.
Johnson	Rogers.
of Dimmit.	Rountree.
Johnson of Smith.	Sanders.
Johnson of Scurry.	Shaver.
Jones.	Simmons.
Justiss.	Smith.
Keeton.	Snelgrove.
Keller.	Speck.
Kemble.	Stephens.
Kennedy.	Stevenson.
Kincaid.	Storey.
King.	Strong.
Kinnear.	Tarwater.
Lee.	Thompson.
Lemens.	Tillotson.
Long of Houston.	Turner.
Long of Wichita.	Van Zandt.
Mankin.	Veatch.
Martin.	Walters.
Mauritz.	Warwick.
Maynard.	White.
McDonald.	Wiggs.
McKean.	Williams
Metcalf.	of Sabine.
Moore.	Williams
Mosely.	of Travis.
Mullally.	Woodall.
Negley.	Woodruff.
Nicholson.	Young.

Present—Not Voting.

Hardy.

Absent.

Acker.	Loy.
Anderson.	McCombs.
Baker.	McGill.
Beck.	Mehl.
Carpenter.	Montgomery.
Davis.	Morse.
DeWolfe.	Murphy.
Ewing.	Olsen.
Fuchs.	O'Neill.
Gates.	Pope of Jones.
Graves of Erath.	Purl.
Harrison.	Shelton.
Hefley.	Sherrill.
Holder.	Sinks.
Hornaday.	Thurmond.
Jenkins.	Waddell.
Kayton.	Wallace.
Kenyon.	Webb.



## Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

The Speaker then laid Senate bill No. 222 before the House on this third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Ackerman.	Martin.
Adkins.	Mauritz.
Albritton.	Maynard.
Barnett.	McDonald.
Bateman.	McKean.
Bond.	Metcalfe.
Bounds.	Minor.
Bradley.	Moore.
Brice.	Mosely.
Brooks.	Mullally.
Chastain.	Negley.
Coltrin.	Nicholson.
Conway.	Palmer.
Cox of Navarro.	Patterson.
Cox of Lamar.	Pavlica.
Cox of Limestone.	Petsch.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Enderby.	Pope of Nueces.
Eickenroht.	Prendergast.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Gerron.	Reid.
Gilbert.	Renfro.
Giles.	Rogers.
Graves	Rountree.
of Williamson.	Sanders.
Harding.	Shaver.
Harman.	Simmons.
Harper.	Smith.
Heaton.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Hopkins.	Stevenson.
Hubbard.	Strong.
Johnson	Tarwater.
of Dimmit.	Thurmond.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Van Zandt.
Justiss.	Veatch.
Keller.	Warwick.
Kemble.	Webb.
Kenyon.	White.
Kincaid.	Wiggs.
King.	Williams
Kinnear.	of Sabine.
Lee.	Williams
Lemens.	of Travis.
Long of Houston.	Woodall.
Long of Wichita.	Woodruff.
Mankin.	Young.

## Present—Not Voting.

Hardy.

## Absent.

Acker.	Loy.
Anderson.	McCombs.
Baker.	McGill.
Beck.	Mehl.
Carpenter.	Montgomery.
Davis.	Morse.
DeWolfe.	Murphy.
Ewing.	Olsen.
Fuchs.	O'Neill.
Gates.	Purl.
Graves of Erath.	Shelton.
Harrison.	Sherrill.
Hefley.	Sinks.
Holder.	Storey.
Hornaday.	Thompson.
Jenkins.	Waddell.
Kayton.	Wallace.
Keeton.	Walters.
Kennedy.	

## Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

### CONFERENCE COMMITTEE ON SEN- ATE BILL NO. 502.

The Speaker announced the appointment of the following free conference committee on Senate bill No. 502:

Messrs. Purl, Reader, Graves of Erath, Hopkins and Turner.

### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 142, "An Act providing that in all counties where the county attorney performs the duties of the county and district attorney, the county attorney may appoint one or more assistants, who need not possess the qualifications provided for county attorneys; providing for the manner of appointment, and declaring an emergency."

S. B. No. 407, "An Act to amend Article 2784, Revised Statutes of 1925, to fix the maximum rate of tax to be levied for school purposes in all school districts, including independent districts, consolidated districts, rural high school districts and common school districts organized under general or special laws;

repealing all laws in conflict herewith both general and special, and declaring an emergency."

H. B. No. 528, "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than 200 population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated."

H. B. No. 556, "An Act amending subdivision 25 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, providing for changing and prescribing the terms and times of holding courts in the Twenty-fifth Judicial District of Texas."

S. B. No. 253, "An Act amending Article 5196 of the Revised Civil Statutes of Texas, 1925, so as to define blacklisting, to define discrimination against persons seeking employment, to require statements in writing from corporations and receivers to employees voluntarily leaving their employment, and requiring further that copies of statements shall be given to employees who have lost or are otherwise deprived of the use of the originals, prescribing what facts shall be set out in all such statements, and declaring an emergency."

H. J. R. No. 11, Proposing an amendment to Article VII of the Constitution of the State of Texas, so as to authorize the taxation of lands belonging to the University of Texas for all except State purposes, and providing for the payment of such taxes by the University of Texas to the proper authorities of the counties where said lands are located; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

#### HOUSE BILL NO. 755 ON THIRD READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 755, A bill to be entitled "An Act to appropriate the sum of \$200,000, or so much thereof as may be necessary, to supplement the appropriation for rural aid under the provisions of Chapter 36, Acts of the Fortieth Legislature."

The bill was read third time.

Mr. Wallace offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 755 by striking out all above the enacting clause and insert in lieu thereof the following:

"A bill to be entitled 'An Act making emergency appropriations for rural aid under the provisions of Chapter 36, Acts of the Fortieth Legislature, and emergency appropriations for the maintenance of summer schools at the several institutions of higher learning as named herein for the balance of the fiscal year ending August 31, 1929, and declaring an emergency.'"

(2)

Amend House bill No. 755 by adding Section 1a, to read as follows:

"Section 1a. There is hereby appropriated out of the general revenue of the State now in the State Treasury not otherwise appropriated the following sums of money for the purposes listed, the same to be expended during the fiscal year ending August 31, 1929:

North Texas State Teachers College.	
Maintenance of Summer	
School .....	\$ 46,000.00
East Texas State Teachers College.	
Maintenance of Summer	
School .....	23,000.00
Stephen F. Austin State Teachers College.	
Maintenance of Summer	
School .....	18,400.00
Sam Houston State Teachers College.	
Maintenance of Summer	
School .....	21,260.00
Southwest Texas State Teachers College.	
Maintenance of Summer	
School .....	21,260.00
South Texas State Teachers College.	
Maintenance of Summer	
School .....	13,800.00
Sul Ross State Teachers College.	
Maintenance of Summer	
School .....	13,800.00
West Texas State Teachers College.	
Maintenance of Summer	
School .....	21,260.00
Agricultural and Mechanical College.	
Maintenance of Summer	
School .....	9,200.00

College of Industrial Arts.	
Maintenance of Summer	
School .....	18,400.00
Texas Technological College.	
Maintenance of Summer	
School .....	23,000.00
North Texas Junior Agricultural College.	
Maintenance of Summer	
School .....	5,520.00
John Tarleton Agricultural College.	
Maintenance of Summer	
School .....	15,640.00
College of Mines and Metallurgy.	
Maintenance of Summer	
School .....	2,500.00
Total .....	\$253,040.00

Signed—Wallace, Hubbard, Thompson, Cox of Navarro, Hornaday, Gilbert, Graves of Williamson, Mosely, Woodall, McGill, Snelgrove, Graves of Erath, Reid, Finn.

The amendments were severally adopted.

House bill No. 755 was then passed by the following vote:

Yeas—106.

Ackerman.	Heaton.
Adkins.	Hines.
Albritton.	Hogg.
Baker.	Hopkins.
Barnett.	Hornaday.
Bateman.	Hubbard.
Bond.	Jenkins.
Bounds.	Johnson
Bradley.	of Dimmit.
Brice.	Johnson of Smith.
Brooks.	Johnson of Scurry.
Chastain.	Justiss.
Coltrin.	Keeton.
Conway.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Kincaid.
Davis.	King.
Dunlap.	Kinnear.
Duvall.	Lee.
Enderby.	Lemens.
Ewing.	Long of Houston.
Finn.	Long of Wichita.
Finlay.	Martin.
Gerron.	Mauritz.
Gilbert.	Maynard.
Giles.	McDonald.
Graves	McGill.
of Williamson.	McKean.
Graves of Erath.	Metcalfe.
Harding.	Moore.
Harman.	Morse.
Harper.	Mosely.

Mullally.	Stephens.
Negley.	Storey.
Nicholson.	Strong.
Palmer.	Tarwater.
Pavlica.	Thompson.
Petsch.	Thurmond.
Pool.	Tillotson.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Veatch.
Purl.	Waddell.
Quinn.	Wallace.
Ray.	Walters.
Reader.	Warwick.
Reid.	Webb.
Renfro.	White.
Rogers.	Williams
Rountree.	of Sabine.
Sanders.	Williams
Simmons.	of Travis.
Smith.	Woodall.
Snelgrove.	Woodruff.
Speck.	Young.

Present—Not Voting.

Hardy.

Wiggs.

Absent.

Acker.	Loy.
Anderson.	Mankin.
Beck.	McCombs.
Carpenter.	Mehl.
Cox of Navarro.	Montgomery.
DeWolfe.	Murphy.
Eickenroht.	Olsen.
Forbes.	O'Neill.
Fuchs.	Patterson.
Gates.	Prendergast.
Harrison.	Shaver.
Hefley.	Shelton.
Holder.	Sherrill.
Jones.	Sinks.
Kayton.	Turner.
Kemble.	Stevenson.
Kenyon.	

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed finally:

S. C. R. No. 45, Providing for the  
publication of the session laws of the  
Forty-first Legislature passed at its  
Regular Session.

H. B. No. 676, A bill to be entitled "An Act to amend Section 25, Chapter 212, House bill No. 59, Acts of the Fortieth Legislature, Regular Session, 1927, repealing all laws and parts of laws in conflict."

S. B. No. 358, A bill to be entitled "An Act amendatory of Articles 2774, 2777, 2808, and 2922e, Revised Statutes, 1925, providing for the appointment or election and term of office of school trustees in all independent, consolidated and rural high school districts; adjusting the term of office of trustees now in office, etc.; and declaring an emergency."

S. B. No. 478, A bill to be entitled "An Act to amend Article 725, Revised Civil Statutes of Texas, 1925, so as to authorize the refunding of county road bonds and road district bonds; and declaring an emergency."

S. B. No. 499, A bill to be entitled "An Act validating the appointment of guardians when citation was posted as provided in Article 4064 of the Vernon Sayles' Texas Civil Statutes of 1914, or as provided in Article 4115 of the Revised Civil Statutes of 1925, and where such citation was not published as provided in Chapter 179, Acts Regular Session of the Thirty-fifth Legislature, being Article 28 of the Revised Civil Statutes of 1925; and declaring an emergency."

S. B. No. 538, A bill to be entitled "An Act making it unlawful for any officer or employee of this State to issue or publish any publication or bulletin in his official capacity, which bulletin or publication carries any advertising matter of any nature whatsoever; providing a penalty for the violation of this act, and declaring an emergency."

S. B. No. 603, A bill to be entitled "An Act establishing at Meridian, in Bosque county, Texas, the Central Texas State Teachers College, conditioned upon acquiring good title to the college property of Meridian College, now located at Meridian, Texas, for the purposes of said Teachers College; providing for the acceptance of title to said property, etc.; and declaring an emergency."

S. B. No. 606, A bill to be entitled "An Act ratifying and validating the creation and consolidation proceedings creating Carey Consolidated Rural High School District No. 10 of Childress county, Texas, by consolidating Purple Hill Common School District No. 14, Prairie Hill Common School District No. 4, Carey Common School District

No. 10 and Valley View Common School District No. 28, all in Childress county, Texas; ratifying and validating all orders, petitions, notices, elections, orders declaring results of elections, and describing the boundaries of such consolidated rural high school district; validating election and election proceedings held on the 6th day of February, 1929, in such consolidated district; authorizing the issuance of \$60,000 school house bonds and levying a tax in payment thereof, including the petitions, orders, notices, election, election returns and authorizing the board of trustees to complete the issuance and sale of such bonds; and declaring an emergency."

S. B. No. 608, A bill to be entitled "An Act vesting the right of eminent domain in the board of managers of the North Texas Junior Agricultural, Mechanical and Industrial College; and declaring an emergency."

S. B. No. 610, A bill to be entitled "An Act providing that the State of Texas, through the Game, Fish and Oyster Commission, shall have the power, right and authority to condemn and appropriate to the use of the State land and water in Smith county, Texas, for the purpose of erecting, constructing, enlarging and maintaining fish hatcheries, building necessary equipments, roads and passageways to said hatcheries, etc.; and declaring an emergency."

H. B. No. 654, A bill to be entitled "An Act defining motor carriers and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers into classes, and providing that every motor carrier, in order to operate on the public highways, must have a permit or certificate of public convenience and necessity; providing further, that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; declaring that such motor carriers are common carriers, and giving to the Railroad Commission the power to regulate the routes and rates, schedules, service and safety of such motor carriers," with amendments as substituted.

H. B. No. 724, Creating Brownsville navigation district of Cameron county.

Has indefinitely postponed

H. B. No. 399, A bill to be entitled "An Act to provide for the sexual ster-

ilization of inmates of State institutions in certain cases; prescribing the method of procedure, and fixing duties of officials concerned therewith."

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

# HOUSE BILL NO. 116 ON THIRD READING.

On motion of Mr. Bateman, the regular order of business was suspended to take up and have placed on its third reading and final passage.

H. B. No. 116, A bill to be entitled "An Act to amend Chapter 6, Title 93, Revised Civil Statutes of Texas, 1925, and Chapter 5, Title 14, Revised Criminal Statutes of Texas, 1925, relating to public weighers, by amending Articles 5680, 5681, 5688, 5689, 5691, 5694, 5695 and 5704."

The Speaker laid the bill before the House and it was read third time.

(Mr. Minor in the chair.)

Mr. Pool offered the following amendment to the bill:

Amend committee amendment by adding after "thereof" in line 32 on page 6, "provided, this law shall not apply to cities having a population between 75,000 and 80,000."

Signed—Pool, McGill, Harrison.

Mr. Barnett moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Pool, yeas and nays were demanded.

The amendment was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—74.

Ackerman.	Harding.
Adkins.	Hogg.
Barnett.	Hopkins.
Bond.	Hornaday.
Bradley.	Hubbard.
Chastain.	Johnson
Coltrin.	of Dimmit.
Conway.	Johnson of Smith.
Cox of Lamar.	Johnson of Scurry.
Davis.	Jones.
Dunlap.	Keeton.
Duvall.	Keller.
Ewing.	Kemble.
Finn.	Lemens.
Finlay.	Long of Houston.
Forbes.	Long of Wichita.
Herron.	Mankin.
Hardy.	Martin.

Mauritz.	Simmons.
Maynard.	Smith.
McDonald.	Speck.
McGill.	Stevenson.
Metcalf.	Storey.
Moore.	Strong.
Morse.	Tarwater.
Mullally.	Thompson.
Negley.	Thurmond.
Patterson.	Tillotson.
Petsch.	Turner.
Pool.	Wallace.
Pope of Jones.	Warwick.
Pope of Nueces.	Wiggs.
Prendergast.	Williams
Purl.	of Sabine.
Quinn.	Williams
Reader.	of Travis.
Rogers.	Woodruff.
Sanders.	Young.
Sherrill.	

## Nays—38.

Albritton.	Kinnear.
Baker.	Lee.
Bateman.	McKean.
Bounds.	Mosely.
Brice.	Palmer.
Brooks.	Pavlica.
Cox of Limestone.	Ray.
Enderby.	Reid.
Eickenroht.	Renfro.
Giles.	Rountree.
Graves	Snelgrove.
of Williamson.	Stephens.
Graves of Erath.	Van Zandt.
Harper.	Veatch.
Heaton.	Waddell.
Hines.	Walters.
Jenkins.	Webb.
Justiss.	White.
Kennedy.	Woodall.
Kincaid.	

## Absent.

Acker.	Kenyon.
Anderson.	King.
Beck.	Loy.
Carpenter.	McCombs.
Cox of Navarro.	Mehl.
DeWolfe.	Montgomery.
Fuchs.	Murphy.
Gates.	Nicholson.
Gilbert.	Olsen.
Harman.	O'Neill.
Harrison.	Shaver.
Hefley.	Shelton.
Holder.	Sinks.
Kayton.	

## Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

Mr. Keller moved to reconsider the vote by which the previous question was ordered.

Yeas and nays were demanded, and the motion was lost by the following vote:

## Yeas—50.

Ackerman.	McDonald.
Barnett.	McGill.
Beck.	Moore.
Dunlap.	Morse.
Duvall.	Mullally.
Ewing.	Negley.
Finn.	Patterson.
Forbes.	Petsch.
Graves	Pool.
of Williamson.	Purl.
Hardy.	Sanders.
Harding.	Simmons.
Harman.	Smith.
Heaton.	Speck.
Hogg.	Stephens.
Hopkins.	Stevenson.
Hornaday.	Storey.
Hubbard.	Thompson.
Johnson	Thurmond.
of Dimmit.	Tillotson.
Keller.	Wallace.
Kemble.	Walters.
King.	Wiggs.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Mankin.	Young.
Martin.	

## Nays—59.

Adkins.	Lee.
Albritton.	Lemens.
Baker.	Maynard.
Bateman.	McKean.
Bond.	Metcalfe.
Bounds.	Mosely.
Brice.	Palmer.
Brooks.	Pavlica.
Chastain.	Pope of Jones.
Coltrin.	Prendergast.
Conway.	Quinn.
Cox of Limestone.	Ray.
Davis.	Reader.
Enderby.	Reid.
Eickenroht.	Renfro.
Finlay.	Rogers.
Gerron.	Rountree.
Gilbert.	Snelgrove.
Giles.	Strong.
Harper.	Tarwater.
Hines.	Van Zandt.
Jenkins.	Veatch.
Johnson of Smith.	Waddell.
Johnson of Scurry.	Warwick.
Jones.	Webb.
Justiss.	White.
Keeton.	Williams
Kennedy.	of Sabine.
Kincaid.	Woodall.
Kinnear.	Woodruff.

## Absent.

Acker.	Loy.
Anderson.	Mauritz.
Bradley.	McCombs.
Carpenter.	Mehl.
Cox of Navarro.	Montgomery.
Cox of Lamar.	Murphy.
DeWolfe.	Nicholson.
Fuchs.	Olsen.
Gates.	O'Neill.
Graves of Erath.	Pope of Nueces.
Harrison.	Shaver.
Hefley.	Shelton.
Holder.	Sherrill.
Kayton.	Sinks.
Kenyon.	Turner.

## Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

House bill No. 116 was then passed by the following vote:

## Yeas—75.

Adkins.	Kinnear.
Albritton.	Lee.
Baker.	Lemens.
Barnett.	Long of Houston.
Bateman.	Mauritz.
Bounds.	Maynard.
Brice.	McDonald.
Brooks.	McGill.
Chastain.	Metcalfe.
Coltrin.	Mosely.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Petsch.
Enderby.	Pope of Jones.
Ewing.	Prendergast.
Eickenroht.	Quinn.
Finlay.	Ray.
Gerron.	Reader.
Giles.	Reid.
Graves	Renfro.
of Williamson.	Rogers.
Harman.	Rountree.
Harper.	Simmons.
Heaton.	Smith.
Hines.	Snelgrove.
Hornaday.	Speck.
Hubbard.	Storey.
Jenkins.	Strong.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Thurmond.
Jones.	Tillotson.
Justiss.	Van Zandt.
Keeton.	Veatch.
Kennedy.	Waddell.
Kenyon.	Webb.
Kincaid.	White.

Williams  
of Sabine.  
Williams  
of Travis.

Woodall.  
Young.

Nays—34.

Ackerman.  
Beck.  
Bond.  
Bradley.  
Conway.  
Duvall.  
Finn.  
Forbes.  
Gilbert.  
Hardy.  
Harding.  
Hogg.  
Hopkins.  
Keller.  
Kemble.  
King.  
Long of Wichita.

Mankin.  
Martin.  
McKean.  
Moore.  
Morse.  
Mullally.  
Negley.  
Patterson.  
Pool.  
Purl.  
Sanders.  
Sherrill.  
Stephens.  
Thompson.  
Wallace.  
Walters.  
Warwick.

Present—Not Voting.

Wiggs.

Absent.

Acker.	Loy.
Anderson.	McCombs.
Carpenter.	Mehl.
Cox of Navarro.	Montgomery.
DeWolfe.	Murphy.
Dunlap.	Nicholson.
Fuchs.	Olsen.
Gates.	O'Neill.
Graves of Erath.	Pope of Nueces.
Harrison.	Shaver.
Hefley.	Shelton.
Holder.	Sinks.
Johnson	Stevenson.
of Dimmit.	Turner.
Kayton.	Woodruff.

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

Mr. Snelgrove moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### NOTICE GIVEN.

Mr. Pope of Jones gave notice that, on next Monday, he would call up for consideration at that time House joint resolution No. 16, which resolution had heretofore been laid on the table subject to call.

#### RELATING TO RECALLING ABSENT MEMBERS.

Mr. Purl moved that the Speaker be requested to wire all absent members that their presence is needed in the House, and to request their attendance.

The motion prevailed.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 358, to the Committee on Education.

Senate bill No. 478, to the Committee of Highways and Motor Traffic.

Senate bill No. 499, to the Judiciary Committee.

Senate bill No. 538, to the Committee on State Affairs.

Senate bill No. 603, to the Committee on Education.

Senate bill No. 606, to the Committee on School Districts.

Senate bill No. 608, to the Judiciary Committee.

Senate bill No. 610, to the Committee on Game and Fisheries.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 502.

Mr. Reader submitted the following conference committee report on Senate bill No. 502:

Committee Room,

Austin, Texas, March 9, 1929.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your free conference committee appointed by your respective bodies to consider Senate bill No. 502, have had said bill under consideration, and beg leave to report that we have reached the following agreement:

We recommend that Senate bill No. 502 be amended by inserting in Section 1 just after the words, "provided, further, that in counties," and just before the words "where there is a joint city and county hospital," the following words: "having a population of not less than 202,000 and not more than 203,000 according to the latest Federal census."

We recommend that the House amendment attached to the bill, adopted March 8, 1929, be not inserted in the bill.

We recommend that the bill be adopted and passed as above amended.

Respectfully,  
WILLIAMSON,  
WOODUL,  
WITT,  
LOVE,  
HYER,

On the Part of the Senate.

PURL,  
READER,  
GRAVES of Erath,  
TURNER,  
HOPKINS,

On the Part of the House.

On motion of Mr. Reader, the report was adopted by the following vote:

Yeas—102.

Ackerman.	Lemens.
Adkins.	Lee.
Albritton.	Long of Houston.
Barnett.	Martin.
Bateman.	Mauritz.
Bond.	Maynard.
Bounds.	McDonald.
Bradley.	McGill.
Brice.	McKean.
Brooks.	Moore.
Carpenter.	Morse.
Chastain.	Mosely.
Coltrin.	Mullally.
Conway.	Negley.
Cox of Navarro.	Nicholson.
Cox of Limestone.	Palmer.
Davis.	Patterson.
Dunlap.	Pavlica.
Duvall.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Finlay.	Prendergast.
Forbes.	Purl.
Gerron.	Quinn.
Giles.	Ray.
Graves of Erath.	Reader.
Hardy.	Reid.
Harman.	Rogers.
Harper.	Rountree.
Heaton.	Sanders.
Hogg.	Simmons.
Hopkins.	Smith.
Hubbard.	Snelgrove.
Jenkins.	Speck.
Johnson	Stephens.
of Dimmit.	Stevenson.
Johnson of Smith.	Storey.
Justiss.	Strong.
Keller.	Tarwater.
Kemble.	Thompson.
Kennedy.	Thurmond.
Kincaid.	Tillotson.
King.	Turner.
Kinnear.	Van Zandt.

Veatch.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
Webb.  
White.  
Wiggs.

Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Absent.

Acker.	Jones.
Anderson.	Kayton.
Baker.	Keeton.
Beck.	Kenyon.
Cox of Lamar.	Long of Wichita.
DeWolfe.	Loy.
Finn.	Mankin.
Fuchs.	McCombs.
Gates.	Mehl.
Gilbert.	Metcalfe.
Graves	Montgomery.
of Williamson.	Murphy.
Harding.	Olsen.
Harrison.	O'Neill.
Hefley.	Renfro.
Hines.	Shaver.
Holder.	Shelton.
Hornaday.	Sherrill.
Johnson of Scurry.	Sinks.

Absent—Excused.

Mr. Speaker.	Savage.
Avis.	Shipman.
Baldwin.	Westbrook.
Land.	Williams
Richardson.	of Hardin.

#### HOUSE BILL NO. 654 WITH SENATE AMENDMENTS.

Mr. Tillotson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 654, A bill to be entitled "An Act defining motor carriers and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers into classes, and providing that every motor carrier, in order to operate on the public highways, must have a permit or certificate of public convenience and necessity; providing further, that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; declaring that such motor carriers are common carriers, and giving to the Railroad Commission the power to regulate the routes



and rates, schedules, service and safety of such motor carriers."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Tillotson moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 654.

In accordance with the above action, the Speaker announced the appointment of the following conference committee on House bill No. 654:

Messrs. Tillotson, Hubbard, Beck, Morse and Maynard.

#### SENATE BILL NO. 314 ON SECOND READING.

On motion of Mr. Hubbard, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 314, A bill to be entitled "An Act to provide for the location, establishment and maintenance of an institution for the treatment of persons suffering from cancer or pellagra, and to provide for the care and treatment of indigent persons suffering from cancer or pellagra; and defining the conditions of admission thereto; and provide for the scientific study of cancer and pellagra; and creating a commission to establish and control said institution, and defining the duties of certain officers in respect to said institution; and making appropriation therefor, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 9, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the free conference committee report on Senate bill No. 502 by a vote of 27 yeas, 0 nays.

The Senate has concurred in House amendments to Senate bill No. 37 by a vote of 23 yeas, 0 nays.

Has passed the following:

H. B. No. 738, A bill to be entitled "An Act relating to the duties of the county board of education and the county superintendent of counties with an area of 977 square miles and a population of not less than 15,000 nor more than 20,000 according to the last preceding Federal census."

H. B. No. 755, A bill to be entitled "An Act making an emergency appropriation for rural aid, and certain emergency appropriations for the maintenance of summer schools at the several institutions of higher learning."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 313, A bill to be entitled "An Act declaring certain fur-bearing animals the property of the State of Texas, such as wild beaver, wild otter, wild fox, wild raccoon, wild badger, wild mink, wild ring-tail cat, wild polecat or skunk, wild opossum and wild civet cat, and protecting the same, etc., and declaring an emergency."

H. C. R. No. 37, Recalling House joint resolution No. 7 from the Governor.

H. C. R. No. 36, Recalling Senate bill No. 592 from the Governor.

#### ADJOURNMENT.

Mr. Quinn moved that the House recess to 8 o'clock p. m. today.

Mr. Purl moved that the House recess to 9:30 o'clock a. m. next Monday.

Mr. Heaton moved that the House adjourn until 9:30 o'clock a. m. next Monday.

The motion of Mr. Heaton prevailed, and the House, accordingly, at 6 o'clock p. m., adjourned until 9:30 o'clock a. m. next Monday.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate bill No. 203.

Constitutional Amendments: Senate joint resolutions Nos. 23 and 21.

Agriculture: Senate bill No. 345.

Judiciary: Senate bills Nos. 147 and 418; House bill No. 715.

Appropriations: Senate concurrent resolution No. 37; House bill No. 755.

Conservation and Reclamation: House bill No. 714; Senate concurrent resolution No. 24.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 742, A bill to be entitled "An Act amending Article 5397, and providing that any claim which has been forfeited by any locator or owner by reason of the failure to pay rental or royalty may be reinstated by the locator or owner within ninety days from the date of the forfeiture upon payment of all rentals and royalties due the State on said claim by said locator or owner, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 278, A bill to be entitled "An Act prescribing the kind of tackle and method for taking fish from the fresh waters of counties and prohibiting all others; prohibiting possession of any tackle not authorized by this act within two hundred yards of any fresh waters mentioned herein, prescribing penalties, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 755, A bill to be entitled "An Act to appropriate the sum of \$200,000, or so much thereof as may be necessary, to supplement the appropriation for rural aid under the provisions of Chapter 36, Acts of the Fortieth Legislature, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 743, A bill to be entitled "An Act to exempt independent school districts in this State in counties having a population of not less than 8955 and not more than 8960, according to the United States census of 1920, from county supervision and all assessments for county administration and limiting the supervision of such independent school districts to the supervising authority of the State Department of Education and the State Board of Education, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 695, A bill to be entitled "An Act creating a more efficient road system for Titus county, Texas, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 724, A bill to be entitled "An Act creating Brownsville navigation district of Cameron county, Texas, to be governed by the provisions of Section 59, Article 16, of the Constitution, and by Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, relating

to navigation districts, except as herein otherwise provided, and defining its boundaries, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 665, A bill to be entitled "An Act fixing the compensation of constables and assistant or deputy constables of justice precincts which have a population of 150,000 inhabitants or more and which are in a county having both a district and county attorney, and having two or more county courts at law, and providing for the manner of their payment, and providing for the manner of appointment of such assistant or deputy constables, and providing for the disposition of fees collected by such constables, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

HARRISON, for Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, March 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 690, "An Act to create and validate Water Control and Improvement District No. 1 in Hidalgo county, Texas, as a conservation and reclamation district; validating and approving all orders made by the commissioners court of the said county in respect to the original organization of Hidalgo County Water Improvement District No. 4 under Article 3, Section 52 of the Constitution,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 528, "An Act amending

Article 6673. Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than two hundred (200) population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 11, Proposing an amendment to Article VII of the Constitution of the State of Texas so as to authorize the taxation of lands belonging to the University of Texas for county purposes; and providing for valuation of these lands by State Tax Board; and providing for the payment of such taxes by the State of Texas to the proper authorities of the counties where said lands are located; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 556, "An Act amending subdivision 25 of Article 199, of Title 8, of the Revised Civil Statutes of Texas, 1925, providing for changing and prescribing terms and times of holding courts in the Twenty-fifth Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; and providing time

for this act to take effect, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 388, "An Act to amend Articles 6014, 6030 and 6036 so as to remove conflicts from the conservation statutes, restore the penalties and more adequately provide for the conservation of oil and gas in the State of Texas; authorizing the Railroad Commission of Texas to stop and prevent the waste of such oil and gas and to promote the conservation thereof, and to make and enforce rules, regulations and orders for such purposes; providing for the appointment of a chief supervisor, a chief deputy supervisor and deputy supervisors, and fixing the qualifications and compensations of each, and authorizing the employment of all other necessary assistants; providing for the enforcement of the provisions hereof and of Title 102 of the Revised Civil Statutes of Texas of 1925, dealing with the conservation of oil and gas and the prevention of the waste thereof, and of the rules, regulations and orders of said Commission made thereunder, and fixing a penalty for the violation thereof; defining terms, providing for notice, hearings and appeal; repealing all laws and parts of laws in conflict herewith; making this law cumulative of all laws of this State on the conservation of oil and gas; providing that the holding of any provision hereof void or unconstitutional shall not nullify the other parts; providing for the survival and saving of liability incurred prior to the repealing of any part of the Revised Civil Statutes of Texas hereby; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 596, "An Act providing for civil service examinations in all coun-

ties in this State having a population of not less than 150,000 nor more than 175,000, according to the latest United States census; providing for civil service examinations of employees of county officers with certain exceptions; providing for a commission for said purpose; providing for the compensation and meetings of said commission; prescribing the duties of said commission; prescribing how said employees shall be selected, and providing a means by which they may be removed; enacting other provisions incidental to the purpose of the act; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 8, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 673, "An Act to reorganize the Forty-second and the One Hundred and Fourth Judicial Districts of the State of Texas; and to prescribe the time and fix the terms of holding the courts in each of such judicial districts, and in the various counties thereof; and to conform all writs and process from such courts to such changes, and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of the courts in the several districts and counties thereof as herein fixed, and to validate all process, and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith and fixing the time when this act shall become effective; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 9, 1919.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 313, "An Act declaring the wild beaver, wild otter, wild mink, wild ringtail cat, wild badger, wild polecat or skunk, wild raccoon, wild fox and wild civet cat to be fur-bearing animals; making it unlawful to take or have in possession any pelt of any fur-bearing

animal at any time other than from November 30th to February 1st; providing, however, pelts taken during the open season therefor may be possessed an additional ten days after January 31st; providing that it shall be unlawful for any person at any time to take or kill by trap, snare, deadfall or any mechanical device any fur-bearing animal in any of the counties to which this act applies; providing, this act shall not prevent an owner nor any of his family killing any of said animals within one hundred feet of his residence or outhouse thereabout by any means whatever while said fur-bearing animals are depredating upon his property, but prohibiting buying or selling said animals or pelts when taken for said reason at any time other than from November 30th to February 1st; providing, this act shall not apply to wolf trappers employed by the United States government, the State of Texas or the commissioners court of the counties included in this act from trapping wolves by setting their traps other and elsewhere than in trails, paths, roads and on logs or within ten feet thereof, nor to taking of said animals within the bounds of State game preserves located in any of the counties to which this act applies when taken under the Game, Fish and Oyster Commissioner's direction and for use of said department; providing, this act shall apply only to the following counties, viz., Cherokee, Lee, Caldwell, Angelina, Hardin, Harris, Nacogdoches, Panola, Polk, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Williamson, Bexar, Liberty, Fort Bend, Bra-

zoria, Jefferson, Matagorda, Anderson, Sabine, Lamar, Madison, Johnson, Orange, Brown, McLennan, Rusk, Tarrant and Young; providing said animals may be possessed in said counties for propagation and fur-bearing purposes under permit from the Game, Fish and Oyster Commissioner; providing for forfeiture of said permits; providing a penalty, repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 37, Requesting return of House joint resolution No. 7 from Governor,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, March 9, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 36, Requesting return of Senate bill No. 592 from Senate,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

In Memory  
of  
Dr. A. C. Oliver

---

Mr. Hines offered the following resolution:

Whereas, An Allwise Providence, in His goodness and mercy, hath seen fit to call from our midst an honored and much-beloved former member of this body, Dr. A. C. Oliver, of Douglasville, who departed this life on the 4th day of March, 1929; and

Whereas, As a member of the Seventeenth, Twenty-second, Twenty-fifth and Twenty-sixth Legislatures, and as Superintendent of the Confederate Home from 1912 to 1915, he rendered distinguished service to the people of his district and State; and

Whereas, While among us, his innate modesty and faithful service for higher principles he was a daily inspiration to higher and nobler things, and a constant benediction to his friends and associates; therefore, be it

Resolved That this body extend to his family the deepest sympathy and condolence; that these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to transmit a copy to the family; and that when an adjournment is taken it be in honor of our distinguished former member and associate.

HINES,  
HUBBARD,  
HARPER,  
SIMMONS.

The resolution was read second time and was adopted by a rising vote.

**In Memory**  
**of**  
**Col. E. J. Williams**

---

Mr. Thompson offered the following resolution:

Whereas, Col. E. J. Williams, Infantry, Army of the United States, departed this life at Washington, D. C., on this the 8th day of March, and

Whereas, During the entire period of the World War Col. Williams, served as Chief of Staff of the 36th Infantry Division, in which thousands of Texans served during the World War, and

Whereas, Col. Williams won the respect, admiration and affections of the officers and soldiers who served in the 36th Division; therefore, be it

Resolved by the House of Representatives, That the House hears with sorrow the untimely passing of Col. E. J. Williams, and does on behalf of the people of Texas convey their sincere sympathy to the surviving members of Col. Williams' family. Be it further

Resolved, That the Clerk of the House is directed to forward a copy of this resolution to members of the family of Col. Williams. Be it further

Resolved, That a page in the House Journal be set aside for this resolution and that the House adjourn this day in his honor.

THOMPSON,  
MARTIN,  
WOODRUFF.

The resolution was read second time and was adopted by a rising vote.

In Memory  
of  
Hon. Jeff: McLemore

---

Mr. Mullally offered the following resolution:

Whereas, An All-wise Providence, in His goodness and mercy, hath seen fit to call from our midst an honored and much-beloved former member of this House, the Hon. Jeff: McLemore, who departed this life on the fourth day of March, 1929, at Laredo, Texas; and

Whereas, As a member of the House, and as a member of the lower house of Congress he rendered a conspicuous and distinguished service to the people of his State and his Nation; and

Whereas, While among us, by his innate modesty, his transcendent ability, his unswerving devotion to principle, and his unimpeachable integrity, he was a daily inspiration to higher and nobler things, and a constant benediction to his friends and associates; therefore, be it

Resolved, That in his life the people of the community and State in which he lived were richly endowed, and that in his death they have sustained an irreparable loss; and be it further

Resolved, That this House extends to his family the deepest sympathy and condolence, that these resolutions be spread upon the Journal of the House, and that the Chief Clerk be directed to transmit a copy to the family, and that when an adjournment is taken it be in honor of our distinguished former member and associate.

MULLALY,  
POPE of Nueces,  
DUNLAP.

The resolution was read second time and was adopted by a rising vote.